



**Request for City Council Committee Action
From the City Attorney's Office**

Date: August 20, 2012
To: Ways & Means/Budget Committee
Referral to:

Subject: *Mahmood Khan v. City of Minneapolis (Consolidated Assessment Appeal)*
Court File No.: 27-CV-27-CV-11-24899

Recommendation: That the City Council approve the resolution of the above referenced consolidated assessment appeal by authorizing the Director of Inspections to withdraw all 13 special assessments levied in 2011 against 3420 Chicago Ave. South, withdraw an assessment of \$275.00 on 3557 Dupont Ave. North, to waive the pending 2012 Vacant Building Registration Fee for 2631 Newton Ave. North; and by withdrawing Finance Department special assessments for \$155.27 on 4000 Dupont Ave. North, and \$1,052.53 on 2906 Emerson Avenue North, for a total of \$9,687.93 and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives:

Prepared by: Gregory P. Sautter Phone: 612-673-2683

Approved by:


Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact (Check those that apply)

- ☐ No financial impact (If checked, go directly to Background/Supporting Information).
- ☐ Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
- ☐ Action provides increased revenue for appropriation increase.
- ☐ Action requires use of contingency or reserves.
- ☐ Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
- ☒ Other financial impact (Explain): Cancellation of various previously levied special assessments, and waiver of the 2012 VBR fee for 2631 Newton Ave.
- ☐ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information

In a consolidated special assessment appeal, Mahmood Khan challenged about 120 separate special assessments levied against individual properties he owns. The City evaluated each of the proposed assessments and, at a settlement conference, agreed to waive certain special assessments in return for Khan's dismissal of the entire action. The City agreed to withdraw 13 inspections assessments on 3420 Chicago Avenue South, one inspections assessment on 2557 Dupont Avenue North, one utility assessment on 4000 Dupont Avenue North, one utility assessment on 2906 Emerson, and the pending 2012 Vacant Building Registration fee for 2631 Newton Avenue North. Included in this agreement is Khan's agreement to enter restoration agreements with the City for 3420 Chicago Ave. North and 2631 Newton Ave. North. In total the City agreed to cancel 16 levied assessments. Khan agrees to abandon his challenge to the over 100 remaining assessments potentially subject to the suit.

The City Attorney's Office, Department of Regulatory Services and Finance – Utility Billing have evaluated the terms of the settlement and believe that settlement of the pending consolidated assessment appeal is in the best interests of the City.